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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

HUONG HOANG, an individual,

Plaintiff,

v.

AMAZON.COM, INC., a Delaware corporation, and IMDB.COM, INC., a Delaware corporation,

Defendants.

No. 2:11-CV-01709-MJP

**DECLARATION OF ASHLEY LOCKE
IN SUPPORT OF DEFENDANTS'
MOTIONS IN LIMINE**

I, Ashley Locke, hereby declare as follows:

1. I am an associate at Perkins Coie LLP. I am one of the attorneys representing defendants Amazon.com, Inc. and IMDb.com, Inc. (“Defendants”) in the above-referenced matter. I make this declaration based on personal knowledge and review of records and correspondence relating to the above-referenced matter.

2. On February 28, 2013, I met with plaintiff Huong Hoang’s (“Hoang”) counsel Keith Scully and Derek Newman in a good-faith effort to resolve Defendants’ objections voiced in their motions in limine. Hoang refused to withdraw the evidence contained in Defendants’ Motions in Limine.

DECLARATION OF ASHLEY LOCKE
(No. 2:11-CV-01709) – 1

24976-0480/LEGAL25969012.1

Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, WA 98101-3099
Phone: 206.359.8000
Fax: 206.359.9000

3. Attached as Exhibit A is a true and correct copy of Plaintiff Huong Hoang's ("Hoang") Rule 26(a)(1) Initial Disclosures. Plaintiff did not supplement these initial disclosures but did produce 881 pages of documents in discovery.

4. Attached as Exhibit B is a true and correct copy of Exhibit A to Hoang's Pretrial Statement.

5. Attached as Exhibit C are true and correct copies of documents Hoang identified in her Pretrial Statement but not previously produced in discovery. Each document is labeled by the exhibit number that Hoang assigned in her Pretrial Statement.

5. Hoang's Pretrial Statement identifies various IMDb.com profiles of third parties unrelated to this litigation. While the identities of 19 of the entertainment professionals featured in the profiles were disclosed during discovery, 27 of them were never disclosed. Hoang never disclosed her intent to use these profiles before listing them in her Pretrial Statement.

5. When counsel met and conferred on February 28, 2013, counsel discussed why Hoang did not produce documents that pre-dated the close of discovery or contained information that she could have provided during the discovery period. Counsel for Hoang provided no explanation for the late disclosure of documents except that counsel received documents from their client “late in the game.”

6. Attached as Exhibit D is a true and correct copy of excerpts of the August 7, 2012 deposition transcript of Joe Kolkowitz.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct

DATED: March 4, 2013

s/ Ashley A. Locke
Ashley Locke

DECLARATION OF ASHLEY LOCKE
(No. 2:11-CV-01709) - 2

Perkins Coie LLP
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Fax: 206.359.9000

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CERTIFICATE OF SERVICE
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13 I certify that on March 4, 2013, I electronically filed the foregoing **DECLARATION OF**
14 **ASHLEY LOCKE IN SUPPORT OF DEFENDANTS' MOTIONS IN LIMINE** with the
15 Clerk of the Court using the CM/ECF system, which will send notification of such filing to the
16 following attorneys of record
17
18

19 **Derek Alan Newman**
20 **Keith Scully**
21 **Charlotte Williams**
22 Newman Du Wors LLP
23 1201 Third Avenue, Ste 1600
24 Seattle, WA 98

25 _____ Via hand delivery
26 _____ Via U.S. Mail, 1st Class, Postage Prepaid
27 _____ Via Overnight Delivery
28 _____ Via Facsimile
29 _____ Via Email
30 X _____ Via ECF
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38 I certify under penalty of perjury that the foregoing is true and correct.
39
40 DATED this 4th day of March, 2012.

41
42 s/ Ashley Locke
43 Harry H. Schneider, Jr. #9404
44 Breena M. Roos #34501
45 Ashley A. Locke #40521
46 **Perkins Coie LLP**
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54 and IMDb.com, Inc.
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101 **DECLARATION OF ASHLEY LOCKE**
102 (No. 2:11-CV-01709) – 3

103 24976-0480/LEGAL25969012.1

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